





## THE FIGHT ON WHISKY

LEGAL OPTION BILL STILL

THE HOUSE.  
BEFORE THE HOUSE.

Col. J. H. P. of Fulton, Delivers a Speech - Various Members Have Sent Him to Hay - No  
Present for the Prohibitionists

The house spent another day yesterday in consideration of the local option bill. The bill has not reached a vote yet, but Mr. Price would yesterday at the hour of adjournment.

COLONEL ABBOTT SPEAKS.

Mr. Abbott said that doubt had been suggested as to the constitutionality of the amendment. It is urged by some that it is not within the constitutional power of the general assembly to delegate to the people first to pass by a popular vote that an act should become operative, and after it had been enforced for two years that the people, by another popular election, should repeal or approve that law. The constitution, however, has been interpreted in the general law field as it has been in the

passed and after it has taken effect being presented to the general assembly. The question of the constitutionality of the amendment is not one of much practical importance to the friends of the bill if they are right in their assumption that it is unconstitutional, because, should the amendment be held to be unconstitutional, such holding would not affect the validity of the other parts of the bill. Whatever I may have to say on the constitutionality of the amendment, I resolve

in favor of the amendment, and shall support it. I am in favor of the amendment, but should the house differ with me and vote down, I'll yield cheerful acquiescence to their decision and support the bill without it.

Preremitting any argument on the amendment in its legal aspect, I say that the amendment seems to be based upon the principle of exact equality and justice, and upon the merits of the question I give it my cordial support.

This is a local option bill, and to say that one, namely, when defeated at the polls, may

bring on a new election within a certain prescribed time and the other not, in case it is defeated, is, to say the least of it partial, and not in accord with the idea of local option as we understand it. Such would not be a local option bill.

Our temperance friends are making a mistake to advocate the placing of restrictions on its opponents, with which they themselves are not encumbered. The temperance cause is good enough, and grand enough, and strong enough, to win on its own merits, without any advantage over its opponents. Fulton county

bill, in all probability, go for local option if the amendment is put on the bill. If this amendment is rejected the cause may be defeated. I have information that in the opinion of a gentleman who is in a position to judge, that this amendment would add a thousand votes to the cause in Bibb County. Now we are met with the objection that this amendment will bring on many elections. That's the fault of the bill. The strength of the bill is many elections for precinct and the amendment only seeks to eliminate the same advantage for the other

The friends of local option insist on putting it in the bill, that as many elections may be held, and as often, as may be necessary until they are victorious, then the matter must rest as the final decree of the people. Now, suppose that an election is held in Fulton county and results against local option, why not, on principle, let that decision rest as the final decree of the people? Is not an election as much an expression of opinion, as much a finality, as the one

case as the other? I believe in the principles of local option; I believe that the indiscriminate retail of whisky is a great curse. But it is a mistake to assume, as some of the more enthusiastic friends of this local option measure seem to think, that the men who engage in the sale of whisky are men against whose interests every other man is at liberty to strike without regard to the fact that this business is protected by law the same as the property of every other citizen. Now while this business is a legitimate subject of control and regulation for police pur-

poses, still the general assembly should be careful not to do injustice to this class of our citizens, although the general assembly may be of opinion that the traffic ought to be stopped. Another reason why the amendment would be harmless in its effects is, that should an election result in favor of local option and its beneficial effects be realized and felt for two years, the men engaged in this traffic will have closed out, gone into other business, whisky organizations will have been broken up, and such demoralization brought about in the community as that could never be repeated.

Mr. McLendon, of Thomas, spoke in support of the amendment. He said the advocates of the bill were not fanatics, as had been charged. They are good people and are in control of the state of Georgia. They deserve the highest praise for their moderation, wisdom and fairness. He did not think there would be any necessity for their election in any county, but in forcing local option on the counties that have not asked for

the house should be very moderate and reasonable and just. Elections can be thrust upon the people by a very small number of voters. He said he thought it was wise to have elections in the districts. Mr. McLendon said that the amendment should be adopted, but that he would vote for the bill any way.

Mr. Lewis, of Hancock, spoke against the amendment. He said the amendment did not originate in a friendly quarter and was the thinnest thing he had seen supported by so much talent. The advocates of the bill were

of victory and then give up.  
"Will the gentleman from Bibb vote for prohibition?" asked Mr. Lewis.  
[Mr. Bartlett.—Do you want an answer?—] will not.  
Mr. Lewis.—Exactly what I supposed.  
Mr. Bartlett.—If you will have one election in all the counties I will vote for the bill.  
Mr. Lewis.—Did the gentleman ever originate any such motion? Temperance in this house is a little too popular. I am afraid if the thing progresses it will bring the movement

two disrepute. We are not here to advocate the reinstatement of the evils of intemperance in any county. We will not align ourselves with the opposition now for the sake of a few votes and take in the lukewarm temperance people. We ask no compromise but stand squarely on the bill as we want it.

Mr. Turner, of Owata, spoke on the amendment, opposing it. This amendment is the Trojan horse, out of which will issue armed men to capture the cause we advocate. It will be the source of more evil than anything else that is sought to be foisted upon us.

record to my friends all the candor I claim for myself. We are told if you enact this law you destroy the party. You thrust strife into the party. We are offered that idea in a spirit of fairness and friendliness. May not the very elements they caution us against be arrayed against the measure. We all are to blame for the liquor traffic, and I take a part of the blame on my own shoulders. But since my boyhood I have been opposed to licensing the retail of the internal stuff. I was suggested that perhaps if the measure was adopted those who voted for

might afterward desire a change. You remove the pecuniary benefit and very few would engage in it. I am unwilling to see the right to perpetrate an evil, no matter what the consideration may be. We are seeking to eradicate from Georgia the greatest evil of the age. There is but one statute upon the books which authorizes the repeal of a law, and we adopt this amendment we put ourselves

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## THE CONSTITUTION

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ATLANTA, JULY 18, 1886.

INDICATIONS for the South Atlantic state at 1 a. m.: Generally fair weather except on the southern coast; local rain; nearly stationary temperature and variable winds.

The characters of 721 national banks expire this year, and the indications are that all, or very nearly all, will be renewed, and that the renewal, together with the new banks, will increase the total number. Government bonds are scarce and high-priced, and the privileges of national banking outweigh all premiums. But when the national debt disappears the entire system will either be abolished or put upon another basis.

GOVERNOR NOYES, who was named as a government director of the Union Pacific railroad, is said to be keenly feeling the unpleasantness that arose over the proposed appointment. He sees how all who were connected with the stupendous political crime of 1876-7 will stand in history, and even before the present generation passes away, the indignation against him will be deeply interesting to all the rest concerned in the theft of the presidency. The sentiment of the country on that subject is unmistakable, and it will degenerate as time goes on.

There is no more pressing subject out west than a clear definition of the rights of citizen in the Indian territory, and the rights of other citizens to a cow drive over portions of that territory. Rival interests are clashing and fighting, and if the business of driving and ranching cattle is not soon defined there will be serious conflicts along the border. The question interests sections all the way from the heart of Texas to into Montana. The Cherokee strip of the Indian territory bids fair to interest congress for many years to come. The citizen with their agents and lawyers are not a distant lot. They want a good deal of the earth.

The failure of the Munster bank, the leading financial institution in the south of Ireland, has paralyzed business in that section. It did a large business both in Cork and Dublin, and had branches in every considerable town near Cork. Its liabilities are large, but its assets, together with the responsibility of its shareholders, will probably meet the claims of depositors. The failure is due to loose business methods, and the people will be apt to connect the failure with the political methods of the "Amenities, who controlled the bank. The chairman of the board of directors was Mr. William Shaw, a prominent Fenian member of parliament.

THE COMMISSIONERS' REPORT.

The eleventh semi-annual report of the commissioners of railroads in Georgia, made to the governor on the 6th instant, and submitted to the legislature by the governor yesterday, is very elaborate, and but for its length would be pleased to publish it in THE CONSTITUTION. It deals in questions that are new in the discussion of railroad law, and takes advance ground on the constitutionality of questions involved in our present railroad law, and the legislation now pending on the subject.

We are frank to admit that we are unable to say whether the position taken is correct so far as relates to the constitutionality of the contemplated legislation, but as to the legality of the law heretofore passed there can be but little doubt.

Heretofore in the discussion of the railroad commission we think the railroads have made a mistake in trying to abolish the commission. The people of Georgia were never more determined on any subject than on the importance and necessity of a commission, backed with proper legislation, to meet the intricate questions that arise between the railroads and their patrons. It is needless to discuss these questions, and it is a waste of time for the railroads to try and unsettle the opinion that is so well grounded with the public and, we think, on correct principles. It is unreasonable to expect that the legislature, in passing the law making the commission and prescribing its duty, should make a perfect law—that it should have defects was reasonable to expect, and if the managers of the railroads had considered them and discussed them before the legislature fully and frankly without trying to destroy the commission, we believe that that body would have relieved the law of all improper friction between the commission and the railroads.

We have occupied but one position on this subject. We favor a commission. We believe that it ought to be empowered with sufficient authority to prevent unjust discrimination against persons and places, but they ought not to have power to injure the property invested in these railroads unjustly and improperly.

The citizens of Georgia own two-thirds of the stock of the Georgia, Atlanta and West Point, Central, Southwestern, and Savannah, Florida and Western railroads. It is just as much the duty of the legislature to protect this property, and, in fact, all the property invested in railroads, as it is to protect any other kind of property. If it has created measures which will injuriously effect this property, and these laws are unjust, then they should be modified; but this is no reason why the law should be repealed or rendered inoperative.

We have, we think, discussed the subjects that have arisen on this subject fairly, and without appealing to prejudice or passion. When the commission reduced the rate on guano to such an extent that it was a loss to the manufacturer of guano, we objected to it, and we think now that the commission made a mistake. When the railroads made an exhibit showing a comparison of the rates for this state, and adjoining states, we did not hesitate to

call attention to the fact that the rates were too low, and were unjust to the railroads.

The commission, after investigating the matter, raised the rates, and we propose to deal just as frankly in the future in the discussion of these matters as we have in the past. Any other course on our part would make sensible people forfeit the respect they have for what we say, and would forfeit the esteem of all fair-minded men.

We think it is the duty of the legislature to treat, as settled, the law creating the commission, and that it should not be repealed or rendered inefficient. But the complaints should be carefully investigated, and the facts thoroughly discussed; and if the law is oppressive and too harsh, it should be modified just so far as it is possible under our constitution.

We repeat now what we have said before, that the railroads are entitled to such dividends as will give to their stockholders legitimate interest on their investment, after paying aside enough to place the roads in a first-class condition. If they are not getting this the legislature ought to see to it that it is not the fault of any law they have passed, that they fail to do it. The railroads are held by the courts and juries of this state to a strict accountability for any damages resulting from defects in roads, bridges or rolling stock, and if they are deprived of the means of keeping these roads in a first-class condition, but still are required to pay for these damages, it is a species of robbery that honest men will not stand by without protest. We do not say that this is a robbery.

The legislature at its last session appointed a committee to investigate the condition of the railroads in this state. This committee has made a careful investigation of all the roads in the state. As to what is the result of its work we are not informed, but we are satisfied that the committee, which was composed of high minded and honorable gentlemen, who will deal impartially with both the railroads and the people, made a thorough investigation of all the roads in the state, and we presume that they will make a report to the legislature on the condition of all the railroad property that they examined. We think the commissioners should have made an examination of the roads also, but we presume they are prepared to answer any points of difference that may arise on this report. We are satisfied from the personnel of this committee that they fairly and earnestly investigated the question. The report of the commissioner, and of the committee, will make up the issue to be determined by the legislature.

THE VIRGINIA CAMPAIGN.

The Virginia republican convention, in which negroes and whites mingled on equal terms, is about to open. It is a large, and its result, except during the brief revolt against Mahone, Governor Cameron's friends tried to break the power of the machine, but they found that the man who had had the naming of the state committee and of many county committees, had also the power of the convention; and that all the effective kicking that could be done this year must be done at the polls. Mahone ruled the convention with all ease, and his will is seen in all its work.

Mahone is not a republican at heart, but when Mr. Arthur placed in his hands the federal patronage of Virginia, he agreed to change the name of the readjuster or Mahone party; and the resolutions adopted on Wednesday show that he is keeping his part of the bargain. The resolutions are particularly emphatic in declaring there is nothing so heavenly as a high tariff, and a demand is made for protection all around, and especially for the oyster beds. There is the usual demand for free labor, free schools and the like. The platform was received "without applause."

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